

Serial No.: 10/604,336
Confirmation No.: 1335
Applicant: STEFANSSON, Ulf
Atty. Ref.: 06730.0054.PCUS00

REMARKS:

REMARKS REGARDING THE CLAIMS:

Claim 6 and claims 10 - 19 have been amended to overcome objection and rejection under 35 U.S.C. §112.

Claims 1 – 5 and 7 – 9 are original claims. Entry of new claims 20 and 21 is respectfully requested.

Claims 1 - 21 are pending in the present application.

IN RESPONSE TO THE OFFICE ACTION:

CLAIMS OBJECTIONS

Objection was made to claims 6 and 15 because of perceived informalities. Correction has been made so that claim 6 depends from claim 4 and claim 15 depends from claim 12. Also, claim 12 now depends from claim 11.

Corrective action by applicants overcomes objection to claims 6, 12 and 15 to place the application in condition for allowance. Reconsideration and withdrawal of the objection is requested.

CLAIMS REJECTIONS – 35 USC §112

The Office Action indicated error in claims 6 and 15 that recite the limitations “said upper delimitation surface” and “the lower delimitations surface” for which there was insufficient antecedent basis in the claim.

Corrective action required amendment of claim 6 to depend from claim 4 and claim 15 to depend from claim 13.

Claim 10 lacked antecedent basis for the limitation “said at least one protrusion.” in line 8.

Amendment of claim 10 includes recitation of “at least one protrusion on the sealing strip” to provide the needed antecedent.

Claims 10 – 19 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Use of the term, “A component comprising a first component part, a second component part and a sealing strip,” was unclear.

Amendment of claims 10 - 19 includes recitation of “component assembly” in compliance with the Examiner’s suggestion.

Rejection of claim 12, under 35 U.S.C. §112 involved lack of antecedent basis for, “the lead-through.”

Corrective action required amendment of claim 12 to depend from claim 11.

The Office Action indicated lack of clarity of claim 13.

Claim 13 relates to Figure 4 and the descriptive portion stating as follows:

“In order to enable the sealing strip 1 to rest flatly against the bottom surface in the groove where the sealing strip is to be applied, the sealing strip is arranged in such a way that a projection 9, 10 of the upper and lower delimitation surfaces 3, 4 of the protrusion in parallel with the width B of the sealing strip are located between the upper and lower delimitation surfaces of the sealing strip.”

Dependency of claim 15 has been changed as indicated above.

CLAIMS REJECTIONS – 35 USC §102

The Office Action indicated rejection of claims 1 – 9 under 35 U.S.C. §102(b) as being anticipated by Nathan (US 2,615,741).

The requirements for a reference to anticipate a claimed invention under 35 U.S.C. § 102, include the need that “each and every element” claimed by the invention must be found either expressly or inherently described in a single prior art reference. An anticipating reference must also describe the patented subject matter with sufficient clarity and detail to establish that the subject matter existed.

A table comparing limitations of claim 1 of the present invention with teachings of Nathan (U.S. 2,615,741), reproduced below, shows that the reference fails in at least three different ways to anticipate the sealing arrangement according to the present invention. In addition, the Examiner did not address each rejected claim individually, thereby failing to confirm anticipation of any claim by Nathan.

Comparison of the present invention with teachings of the reference (Nathan)

Claims Requirements of the Present Invention	Nathan U.S. 2,615,741
Claim 1 recites “A sealing arrangement comprising: a <u>sealing strip</u> made of a substantially incompressible material - - -.”	Nathan teaches a sealing sleeve or ring for application over a pipe end. Figure 3, of Nathan shows an optional structure otherwise resembling the structure described for Figure 1. The structure of Nathan does not meet the description of a <u>sealing strip</u> .
Claim 1 recites “- - - wherein the sealing strip is adapted to be inserted into a groove - - -.”	Nathan is silent regarding insertion of the sealing ring into a groove. This is to be expected since the sealing ring of Nathan is designed for application over a pipe end.
Claim 1 further recites “- - -the sealing strip exhibits a substantially constant width along the main portion of its length- - -.”	The longitudinal (length) direction apparently selected by the Examiner includes ribs 15a that cause width variation along the length of the sleeve (ring) covering the pipe 16.

The previous table clearly shows that Nathan is ineffective as a basis for rejection of claims of the present invention for lack of novelty. Regardless of the Office Action statement that, “Nathan discloses a sealing strip” (emphasis added), the reference makes frequent reference to “Sealing Ring”, in the title and at column 1, lines 1 – 9, for example.

Although not clear to the applicants, there appears to be an error in Office Action’s description of “the sealing strip having a substantially constant width along a main portion of its length.” If the longitudinal axis is parallel to the horizontal of Figure 3, the illustrated cross section clearly does not have constant width.

By failing to teach a “sealing strip” or placement of a sealing strip in a “groove” or a sealing strip having a “substantially constant width,” Nathan fails to satisfy criteria for rejection of claims under 35 U.S.C. §102(b). Claim 1 should be allowed. Since they have dependency from claim 1, claims 2 – 9 should likewise be allowed.

Due to Nathan’s failure to teach “each and every element” of the claimed invention, applicants request reconsideration and withdrawal of the rejection of claims 1 – 9.

The Office Action included rejection of claims 1 – 19 under 35 U.S.C. 102(e) as being anticipated by Hammi (US 6,761,360)

As discussed above, the requirements for a reference to anticipate a claimed invention under 35 U.S.C. § 102, include the need that “each and every element” claimed by the invention must be found either expressly or inherently described in a single prior art reference.

A table comparing limitations of claim 1 of the present invention with teachings of Hammi (U.S. 2,615,741), reproduced below, shows that the reference fails, in the same three ways as Nathan, to anticipate the sealing arrangement according to the present invention. Since the Examiner did not address each rejected claim individually, it is not possible to confirm the relationship of Hammi’s teachings to each and every element of the present claimed invention.

Comparison of the present invention with teachings of the reference (Hammi)

Claims Requirements of the Present Invention	Hammi U.S. 6,761,360
Claim 1 recites “A sealing arrangement comprising: a <u>sealing strip</u> made of a substantially incompressible material - - -.”	Hammi, like Nathan, teaches a sealing gasket or ring for application over a pipe end. A retainer provides support to the sealing portion of the gasket of Hammi. The retainer has the shape of a washer as indicated by the Abstract of Hammi referring to “the retainer has - - - a closed geometric shape - - -.”
Claim 1 recites “- - - wherein the sealing strip is adapted to be inserted into a groove - - -.”	Hammi is silent regarding insertion of the sealing ring into a groove in a component part. Evidence shows that the reference uses the retainer to position the attached elastomeric member around a pipe prior to formation of a sealed coupling.
Claim 1 further recites “- - -the sealing strip exhibits a substantially constant width along the main portion of its length- - -.”	The Office Action incorrectly includes the retainer with the elastomeric sealing member as a part of the sealing structure. Only the elastomeric member provides sealing capability but it does not have substantially constant width (see e.g. col. 4, lines 27 – 32).

The previous table clearly shows that Hammi does not provide basis for rejection of claims of the present invention for lack of novelty. Regardless of the Office Action statement that, “a sealing strip (10”), which is designed to be inserted into a groove” (emphasis added),” the reference clearly illustrates (Figure 1) and describes a gasket that is not in the form of a strip. Also, the word “groove” appears only once with regard to the background art for attaching the elastomer sealing member of the gasket by inserting it in a groove in the retainer of the gasket. Such a structure does not suggest that either one of a “mating pair of mutually-opposed interface surfaces (column 4, lines 25 – 26)” includes a groove.

The Office Action statement that, “the sealing strip exhibits a substantially constant width along the main portion of its length (width of 52a”), the sealing strip having at least one

protrusion (the protrusion having 46a” and 46b”),” is confusing because it attributes sealing capacity to the retainer, using numeral 52a. As indicated at column 4, line s 27 – 32, it is the “generally annular elastomeric member 14” that effects a fluid-tight seal. The retainer does not participate in seal formation.

The remainder of discussion of the relevance of Hammi to the present invention is confusing since it seems to deal with limitations associated with different claims of the application without specifying claims by number.

By failing to teach a “sealing strip” or placement of a sealing strip in a “groove” or a sealing strip having a “substantially constant width,” Hammi fails to satisfy criteria for rejection of claims under 35 U.S.C. §102(e). Claim 1 should be allowed. Since they have dependency from claim 1, claims 2 – 9 should likewise be allowed.

Claim 10 also requires a “sealing strip,” placement of a sealing strip in a “groove” and a sealing strip having a “substantially constant width.” It has been shown that Hammi fails to teach these limitations. Therefore, claim 10 should be allowed. Claims having dependency from claim 10, including claims 11 – 19, should likewise be allowed.

Due to Hammi’s failure to teach “each and every element” of the claimed invention, applicants request reconsideration and withdrawal of the rejection of claims 1 – 19.

Applicants have made an earnest attempt to respond to all the points included in the Office Action and, in view of the above, submit that amendment of claims 6 and 10 - 19 places the application in condition for allowance. Consequently, request is respectfully made for reconsideration of the application and notification of allowance of claims 1 – 19 and new claims 20 and 21 in the next paper from the Office.

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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Order No. 06730.0054.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tracy W. Druce".

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